

APR 18 2005

**MORRISON | FOERSTER**

3811 VALLEY CENTRE DRIVE  
SUITE 500  
SAN DIEGO  
CALIFORNIA 92130-2332  
  
TELEPHONE: 858.720.5100  
FACSIMILE: 858.720.5125  
  
WWW.MOFO.COM

MORRISON & FOERSTER LLP  
NEW YORK, SAN FRANCISCO,  
LOS ANGELES, PALO ALTO,  
SAN DIEGO, WASHINGTON, D.C.  
  
DENVER, NORTHERN VIRGINIA,  
ORANGE COUNTY, SACRAMENTO,  
WALNUT CREEK, CENTURY CITY,  
  
TOKYO, LONDON, BEIJING,  
SHANGHAI, HONG KONG,  
SINGAPORE, BRUSSELS

To:	FACSIMILE:	TELEPHONE:
U.S. Patent and Trademark Office MS AF	(703) 872-9306	

FROM: Gregory P. Einhorn - Reg No. 38,440

DATE: April 18, 2005

Number of pages with cover page: 14	Original or hard copy to follow if this box is checked <input type="checkbox"/> .
-------------------------------------	---

Preparer of this slip has confirmed that facsimile number given is correct: 10924 / NXG4

If you do not receive all pages, please call (858) 314-5435 as soon as possible.

**CAUTION - CONFIDENTIAL**

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (858) 314-5435 and send the original transmission to us by return mail at the address below.

This facsimile contains confidential information which may also be privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not copy, use, or distribute it. If you have received it in error, please advise Morrison & Foerster LLP immediately by telephone or facsimile and return it promptly by mail.

**Comments:**

Attorney Docket: 564462001001  
Group Art Unit: 1652  
Examiner: R. Hutson  
Serial No.: 09/202,681  
Filing Date: Int'l. - June 19, 1997  
Inventor(s): Eric J. MATHUR et al.  
Title: PHOSPHATASES; POLYNUCLEOTIDES ENCODING THEM  
AND METHODS OF MAKING AND USING THEM  
(AMENDED)

**Papers attached:**

1. Transmittal (1 page)
2. Fee Transmittal (1 page + duplicate)
3. Petition for 1 Month Extension of Time Under 37 CFR 1.136(a) (1 page)
4. Amendment in response to Office Action dated November 26, 2004 (9 pages)

**IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL  
NORM GREEN AT (858) 314-5435 AS SOON AS POSSIBLE.**

SD-255391

PTO/SB/21 (09-04)

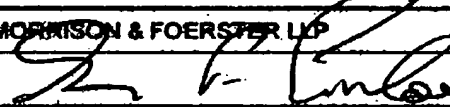
Approved for use through 07/31/2008. OMB 0551-0031


U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p>		Application Number	09/202,681
		Filing Date	Int'l. - June 19, 1997
		First Named Inventor	Eric J. MATHUR
		Art Unit	1652
		Examiner Name	R. Hutson
Total Number of Pages in This Submission	14	Attorney Docket Number	564462001001

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form (1 page + duplicate) <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply (5 pages) <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declarations(s) <input checked="" type="checkbox"/> Extension of Time Request (1 page) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax Cover Sheet (1 page)
Remarks Customer No. 45975		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MORRISON & FOERSTER LLP		
Signature			
Printed name	Gregory P. Einhorn		
Date	April 18, 2005	Reg. No.	38,440

I hereby certify that this co-correspondence is being facsimile transmitted to MTS AF, the Patent and Trademark Office, facsimile no. (703) 872-8300, on the date shown below.	
Dated: April 18, 2005	Signature:  (Norman Green)

sd-255271

PTO/SB/17 (12-04v2)  
Approved for use through 7/31/2008. OMB 0851-0032  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (P.L. 109-173).

## FEE TRANSMITTAL

### For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

<b>TOTAL AMOUNT OF PAYMENT</b>		(\$)		60.00
<b>Application Number</b>		09/202,681		
<b>Filing Date</b>		Int'l. - June 19, 1997		
<b>First Named Inventor</b>		Eric J. MATHUR		
<b>Examiner Name</b>		R. Hutson		
<b>Art Unit</b>		1852		
<b>Attorney Doctel No.</b>		564462001001		

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 03-1952 Deposit Account Name: Morrison & Foerster LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

#### 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Multiple Dependent Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
_____	_____	_____	_____	_____	_____	_____
<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>			
_____	_____	_____	_____			

#### 3. APPLICATION SIZE FEE


If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____	/50	(round up to a whole number) x _____	_____	_____

#### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): 2251 Extension for response within first month	60.00

**SUBMITTED BY**

Signature: 	Registration No. (Attorney/Agent): 38,440	Telephone: (858) 720-5133
Name (Print/Type): Gregory P. Einhorn	Date: April 18, 2005	

sd-255272

PTG88/17 (12-04-2)  
Approved for use through 7/31/2008. OMB 0801-0252  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/04/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (P.L. 109-10).

## FEE TRANSMITTAL

### For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

<b>TOTAL AMOUNT OF PAYMENT</b>	(\$) <b>60.00</b>
--------------------------------	-------------------

<b>Complete if Known</b>	
Application Number	09/202,661
Filing Date	Int'l. - June 19, 1997
First Named Inventor	Eric J. MATHUR
Examiner Name	R. Hutson
Art Unit	1652
Attorney Docket No.	564462001001

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Note ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 03-1852 Deposit Account Name: Morrison & Foerster LLP

For the above identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

**Total Claims**    **Extra Claims**    **Fee (\$)**    **Fee Paid (\$)**    **Multiple Dependent Claims**

\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_    **Fee (\$)**    **Fee Paid (\$)**

**Indep. Claims**    **Extra Claims**    **Fee (\$)**    **Fee Paid (\$)**

\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

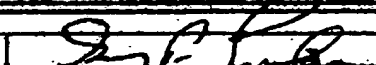
**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____	/50	(round up to a whole number) x _____	= _____	

**4. OTHER FEE(S)**

	Fee Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): 2251 Extension for response within first month	60.00

<b>SUBMITTED BY</b>			
Signature		Registration No. (Attorney/Agent)	36,440
Name (Print/Type)	Gregory P. Einhorn	Telephone	(858) 720-5133
		Date	April 18, 2005

Duplicate Copy  
For Fee Processing

sd-255272